

**Town of Clarence
Planning and Zoning**

Memo

To: Town Board Members

From: James Callahan, Director of Community Development

cc: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

Date: October 28, 2016

Re: November 2, 2016 Town Board Agenda

Following is a review/analysis of the items listed on the November 2, 2016 Town Board Agenda:

PUBLIC HEARINGS:

1. RAY GARCIA, 8714 STAHLEY ROAD

Location: North side of Stahley Road west of Conner Road.

Description/History: Existing vacant lot located within the Residential Single Family Zone

Proposal: Applicant is seeking approval to construct a home with a secondary living unit.

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: Per the Zoning Law, the Town Board may consider secondary living units via a Special Exception Use Permit.

Issues: The applicant understands the limitations listed in the Town Zoning Law to deed restrict the property to not allow a future rental unit.

FORMAL AGENDA ITEMS:

1. DOMENIC PIESTRAK/SPAULDING GREEN OPEN SPACE DESIGN DEVELOPMENT, PHASES 3A AND 4A FINAL PLAT APPROVALS

Location: East side of Goodrich Road north of Greiner Road.

Description/History: Existing previously approved Open Space Design Subdivision. Development Plan approval was granted in 2015 for Phases 3A and 4A.

Proposal: Applicant is seeking Final Plat Approval on these phases. Phase 3A includes approximately 300 linear feet of Firefly Court and approximately 500 linear of Waterlefe Court and including 22 patio home lots. Phase 4A includes approximately 1300 linear feet of Spaulding Green Parkway and approximately 900 linear feet of Herons Glen and including 14 sublots

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: Per the Zoning Law, the Town Board has final approval authority to accept roads for public dedication and approving Final Plats.

Issues: A condition of Development Plan approval identified that Final Plat approval is conditioned on completion of the recreation trail to the gas line and installation of a traffic signal at the Thompson Road/Greiner Road intersection. The applicant has submitted a performance bond to ensure the installation of the traffic signal.

2. TOWN OF CLARENCE COMPREHENSIVE PLAN 2030.

On August 24, 2016, the Town Board initiated coordinated review for the action to adopt Comprehensive Plan 2030 under the State Environmental Quality Review Act (SEQRA) and the 30 day comment period has now expired. The only pertinent comments received are from Erie County. The consultants along with the Planning Department have now addressed the comments received and a Part 2 and Part 3 Environmental Assessment Form has been completed identifying the comments received and how they will be addressed in the final document.

The Town Board is now free to take a final action under SEQRA.

The final step in the adoption process is to schedule a public hearing and consider fully adopting Comprehensive Plan 2030.

WORK SESSION ITEMS:

1. JOSEPH PANDOLFINO, 5036 SHALE BLUFF.

Location: East side of Shale Bluff south of Rockledge in the Spaulding Lake Subdivision.

Description/History: Existing residential home located in the Spaulding Lake Planned Unit Residential Development (PURD)

Proposal: Applicant is proposing to add a secondary living unit (in-law apartment) to the existing single family home.

Master Plan: Area identified in a residential classification.

Reason for Town Board Action: Per the Zoning Law, a secondary living unit may be considered via a Special Exception Use Permit.

Issues: A public hearing will be required to consider the permit.

2. GEOFFREY MOHRING/STAY AND PLAY CAFÉ, LLC, 5635-5647 HARRIS HILL ROAD.

Location: East side of Harris Hill Road south of Roll Road.

Description/History: Existing commercial plaza located in the Industrial Business Park Zone.

Proposal: Applicant is seeking to fill space in the existing plaza with an animal day care facility that may include overnight boarding.

Master Plan: Area identified in an industrial classification.

Reason for Town Board Action: Per the Zoning Law, the Town Board has approval authority for uses in the Industrial Business Park Zone.

Issues: While the use may be permitted, the issue of overnight boarding has historically been of concern due to noise issues.